IN THE UNITED STATES PATENT AND TRADEMARK OFFICE pplication of : Konetzki, I. et al) Art Unit: 1645 U.S. Appln. No. : 10/697,525) Examiner: To be assigned Confirmation No.: 7671 U.S. Filing Date: October 30, 2003 Title of Invention: Dihydroxymethylphenyl Derivatives, Processes for Preparing Them and Their Use as Pharmaceuticals Attny. Docket No.: 1/1418US Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 March 9, 2004 TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT Sir: Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow. X This Statement is being filed: i) within three (3) months of the filing 1.97(b). date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

in the application. This Statement is being accompanied by:

C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution

This Statement is being filed after the time period specified in 37

1.97(c).

		The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.
	ent as s	This Statement is being filed after the period specified in 37 C.F.R. on or before payment of the issue fee. This Statement is accompanied by a pecified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R.
	1.97(e).
	counte	Each item of information contained in the instant information disclosure tent was first cited in any communication from a foreign patent office in a terpart foreign application not more than three (3) months prior to the filing of stant information disclosure statement; or
	foreign makin inform §1.56(No item of information contained in the instant information disclosure tent was cited in a communication from a foreign patent office in a counterpart application, and, to the knowledge of the person signing this certification after g reasonable inquiry, no item of information contained in the instant nation disclosure statement was known to any individual designated in 37 C.F.R. c) more than three (3) months prior to the filing of the instant information sure statement.
		The fee set forth in 37 C.F.R. §1.17(p).
		The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.
counte in secti	rpart ap	d). Each item of information contained in the accompanying information tement was cited in a communication from a foreign patent office in a oplication, which communication was not received by any individual designated b(c) more than thirty (30) days prior to the filing of the accompanying isclosure statement.

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,

Timothy X. Witkowski Attorney for Applicant(s)

Reg. No. 40,232

Patent Department Boehringer Ingelheim Corp. 900 Ridgebury Road, P.O. Box 368 Ridgefield, CT 06877

Tel: (203) 798-4868

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner For Patents P. O. Box 1450 Alexandria, VA 22313-1450

on March 9, 2004

Timothy X. Witkowski, Reg. No. 40,232

PTO/SB/08a (08-03)

1/1418US

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
for the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449A/PTO Application Number 10/697,525 **INFORMATION DISCLOSURE** Filing Date October 30, 2003 First Named Inventor Konetzki, I. STATEMENT BY APPLICANT Art Unit 1645 Examiner Name To be assigned (Use as many sheets as necessary)

Attorney Docket Number

			U.S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.	Document Number Number-Kind Code ^{2 (F known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 3,969,410	07/13/1976	Mentrup, A., et al	
		^{US-} 2002/022625	02/21/2002	Walland, A., et al	
	• • • • • • • • • • • • • • • • • • • •	^{US-} 4,042,713	08/16/1977	Mentrup, A., et al	
***************************************		US-			
A-140-1-4-AH-HIDAN TEATURE		US-	The state of the s		
		US-			•
***************************************		US-			
***************************************		US-			
**************************************		US-			
		US-			
······································		US-			
		US-	***************************************		
**************************************		US-	,,,,,		
		US-			
		US-			
w.xxxxx		US-			
***************************************	ļ	US-			
		US-			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ 'Number ⁴ 'Kind Code ⁵ (# known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶	
		WO 01/83462	11/08/2001	Boehringer Ingelheim	,		
	1			Pharma KG			
	1		***************************************				

				***************************************	***************************************		

Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.